

I, John A. Martel, being duly sworn, depose and say that I have been a Detective in the Boston Police Homicide Unit, for the past five and a half years. During this assignment I have been involved in excess of over one hundred homicide related and unrelated investigations.

1. On February 21, 2001, at 16:40 hours operations was notified of a male shot inside of 1587 Commonwealth avenue, Brighton, Massachusetts. Unit K425F, Police Officer Joseph Murray and Unit K426F, Police Officer Courtney Powell responded upon request by Operations.
2. Upon arrival they observed a black male lying face down without any vital signs, with apparent gunshot wounds to the back and head. Health & Hospitals Ambulance, A-14, with Paramedics Williams and Temple arrived and pronounced the victim at 16:48 hours.
3. Operations made full notifications of the Homicide Unit, Identification Unit, Ballistics Unit and the Crime Lab Unit at 17:02 hours. Sergeant Detective Kevin Mullen of Area D-14 arrived and set security tape in place to protect the crime scene, assisted by other Detectives and Police Officers assigned to Area D-14.
4. Upon arrival, Sergeant Detective James Wyse, along with Detectives John Martel and Michael Primm began the investigation into the death of the victim, later identified as Ricardo Robinson, age 41, and d.o.b. 02/13/60, of 28 Fayston Street, Roxbury, Massachusetts. He is married and the father of six children.
5. Witnesses to this incident, which took place inside of the barbershop, owned by the victim, were transported to area D-14, to be interviewed. Sergeant Wyse processed the scene, and Detective Primm and Martel responded to Area D-14 and conducted the interviews.
6. One Lamar Shanks, (biographical information know to the writer), stated he was inside of the Barber shop for approximately twenty minutes prior to the shooting of Ricardo Robinson, and stated he left shortly before the incident occurred, but stated that Ricardo and a male known to him as "Barley", were involved in a heated argument. He said he went home and received a phone call a short time later and the person told him, that Ricardo was shot by the person he was arguing with.
7. Mr. Shanks was asked if he would be able to identify that person, if he saw a picture of him, and he stated "Yes, I've seen him around this area before, and I've heard someone call him "Barley" or "Marley", in the past. He then was requested to sit at the computer, at which time Detective Martel brought up photographs of individuals. After viewing nine photographs, Mr. Shanks positively identified one Leon Robinson, Photo # 0000432-14, Criminal Record # 13027593, as being the person he observed in the heated argument with Ricardo Robinson.

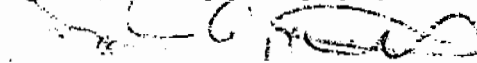
8. One Maurice McIntosh, ( biographical information known to writer ) was then interviewed by Detective John Martel and Wayne Rock, at which time he stated that he was present during the shooting of Ricardo Robinson. He stated he had been inside of the barber shop from about 3:00 PM, and that he observed an unknown black male, involved in an argument, in which Ricardo Robinson and this unknown male were discussing everything from being in jail, to who could lift the most weights.
9. Mr. McIntosh stated that things got real heated and he observed the unknown male lift up his shirt and pulled out a black revolver. He said Ricardo then stated to the unknown male " Oh big man with a gun, so you want to shoot me ". He said at this time Ricardo then picked up his cell phone and appeared to be calling someone.
10. Mr. McIntosh then stated the unknown male said " You're calling someone on me", at which time he began shooting. Mr. McIntosh stated he ran towards the rear of the shop and didn't hear anymore shots, at which time he turned around and didn't see the unknown male anymore. He stated he then observed Ricardo Robinson on the floor, not moving, and bleeding from the head area. He then stated he ran outside and called 911.
11. He was then asked if he would be able to identify the assailant, at which time he stated " Yes ". He was seated at the computer, and Detective Martel brought up individuals on the screen, at which time he came to the tenth photograph and stated " That's him right there ". The photograph was the same individual identified as Leon Robinson.
12. Information was gathered from the Bureau of Probation, along with Boston Police Booking Records, relative to Leon Robinson. This information enabled Detective Wayne Rock and Michael Primm to go to 1003 Jette Court, Brighton, and the home of the Mother of Leon Robinson, one Rosetta Robinson.
13. Detective Primm spoke to the mother and after several phone calls, she put Detective Primm on the line and Leon Robinson agreed to meet with Detective Primm and Rock, at the Little Peach store on Spring Street, West Roxbury. This store is located in front of a group of Spring Street Boston Housing development, of which Leon Robinson is listed as being a tenant, at 27 Spring Street, apartment 53.
14. Detective Primm and Rock went to that location, assisted by Sergeant Wyse and Detective Martel, at which time Leon Robinson arrived. He was placed under arrest, without incident, and transported to the Homicide Unit.

15. Leon Robinson was given his Miranda, and waived his right to an attorney, at which time he gave a statement to Detective Primm and Rock, stating he was in the barber shop, but was not involved in any shooting. He claims he left before the shooting, and that someone called him and told him Ricardo was shot. He did not remember who called him.
16. As an experienced Veteran Detective, I hereby submit this affidavit in support for a warrant, to search the premises of apartment 53, of 27 Spring Street, West Roxbury, Massachusetts, the residence of Leon Robinson. This information was verified by a visual observation of the name of Robinson on doorbell 53, at this location. It was also verified through the Boston Housing Police and Housing Authority, as being the lone residence of Leon Robinson. During the interview of Leon Robinson, he stated to Detective Primm and Rock, that he resided at this location.
17. This warrant will be used to gather evidence, to include a black pair of black slacks, a black and white Polo long sleeved shirt, a black revolver, any and all ammunition, as well as personal papers to show proof of residency and or, occupancy of said premises; along with photographic representation of collected evidence.
18. Witnesses described the above items listed in paragraph seventeen, as being items of clothing worn by the suspect, along with the firearm. A black leather jacket worn by Leon Robinson, at the time of his arrest has been collected, as evidence, which was also described by witnesses.

Printed name of affiant

John A. Martel

Signed under the pains of perjury



Sworn and subscribed before

Ronald Henry Chaplin  
Signature of Justice, Clerk-Magistrate

2/22/01

Date

